

- **Sangamon County Board approves \$2.6M Carlock settlement, health department plan**



COMMENT

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A. Paul Carlock

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Sangamon County on Wednesday approved a \$2.6 million settlement in a wrongful death lawsuit and agreed to provide health department services in nearby Menard County.

The two unrelated issues were the only items up for debate during a special meeting of the Sangamon County Board.

The \$2.6 million settlement ended a lawsuit filed by the family of A. Paul Carlock, who died in 2007 after a struggle with guards at the Sangamon County Jail. The agreement with Menard County should help the smaller county, which was having trouble funding health department services.

Bob Lott, chairman of the Menard County Board, said the agreement will mean opportunities for people in his county who need health department programs.

"When you're a small county, it's hard to give the residents what they need. By going with the Sangamon County Health Department, they will be able to give us what we need," Lott said during a phone interview prior to the Sangamon County meeting.

Under the agreement, Sangamon County will provide infectious disease control, food inspection for restaurants and retailers, and water and sewer inspections. Sangamon County will also oversee programs such as nutrition assistance for women, infants and children, family case management, home health, and women's health.

The initial agreement is for three months, and it calls on Menard County to pay the Sangamon County Health Department \$15,000.

The agreement could be extended after the initial contract expires.

Lott said the agreement with Sangamon County is "much more affordable" than his county offering the services on its own.

"This might allow us to add another program or two," Lott said.

Jim Stone, director of the Sangamon County Health Department, described the agreement as "mutually beneficial."

Menard County officials have already approved the agreement.

Sangamon County Board members unanimously approved the health department agreement and the Carlock settlement.

Carlock, 57, also known as "Klutzo the Clown," was arrested on federal child pornography charges. He died at St. John's Hospital on Nov. 16, 2007, following a struggle at the Sangamon County Jail.

The federal lawsuit filed by Carlock's family alleged that a guard put his weight on Carlock while he was facedown on the floor and that another shocked Carlock with a Taser while he was handcuffed.

Since the lawsuit was filed in 2008, the county has spent about \$2.66 million in legal fees. Combined with the settlement, that brings the county's cost to about \$5.2 million.

Sangamon County Board Chairman Andy Van Meter said that if the county went to court and won, it still would have paid close to \$5.2 million due to continuing legal fees.

Van Meter added that a loss could have cost the county \$10 million plus attorney fees.

- "If we went to trial, there was a possibility, however remote, that we would lose and end up bankrupting the county. I wasn't willing to take that risk," Van Meter said.

In the past, county officials have expressed concern that a settlement would send a message that suing the county is an easy way to make money.

"I think we made our point," Van Meter said. "We fought this case for seven years, and the plaintiff was required to expend a considerable amount of money. We would have continued to fight if we were not able to reach a settlement that we thought was in the best interest of the citizens of Sangamon County."

Sharon Kelley, an attorney for the Carlock family, was at the meeting.

"My client feels there's no winners in this," Kelley said.

- See more at: <http://www.sj-r.com/article/20140820/News/140829907/?Start=2#sthash.fMeh8iAv.dpuf>

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